

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**September 27, 2005**

**IN RE:**

**ENFORCEMENT OF INTERCONNECTION AGREEMENT  
BETWEEN BELL SOUTH TELECOMMUNICATIONS, INC.  
AND ITC^DELTA COM COMMUNICATIONS, INC.**

**ENFORCEMENT OF INTERCONNECTION AGREEMENT  
BETWEEN BELL SOUTH TELECOMMUNICATIONS, INC.  
AND XO TENNESSEE, INC.**

**DOCKET NO.  
02-01203**

---

**ORDER AMENDING PROCEDURAL SCHEDULE**

---

At a regularly scheduled Authority Conference held on April 4, 2005, the panel assigned to this docket voted unanimously to delegate to the Hearing Officer the authority to dispose of existing post-hearing issues in this matter. In addition, the panel requested that the Hearing Officer dispose of the issues within sixty (60) days

At a Status Conference held on May 17, 2005, the Hearing Officer directed that BellSouth Telecommunications, Inc. ("BellSouth") file its audit proposal and brief in this docket by May 23, 2005, and that XO Tennessee, Inc. ("XO") and ITC^DeltaCom Communications, Inc. ("ITC^DeltaCom") file their responses and briefs thereto by June 3, 2005. On May 23, 2005, the parties filed a notice that BellSouth and XO had reached a tentative settlement resolving the issues in this docket. In that notice, the parties requested that the filing of BellSouth's proposal and brief and the responses and briefs of XO and ITC^DeltaCom be held in abeyance for two (2) weeks. On May 24, 2005, the two-week extension was granted. On June 3,

2005, the parties requested an additional two-week extension in the schedule for filings in this docket. The parties stated their belief that the further extension would be helpful in the ongoing discussions regarding a settlement. On June 8, 2005, the Hearing Officer granted the request for an additional extension and issued a new procedural schedule. On June 24, 2005, the parties reported that negotiations were continuing and requested an additional two-week extension in the deadline for filings. On June 30, the parties requested a new procedural schedule with BellSouth's filings due on July 15, 2005 and the filings by XO and ITC^DeltaCom due on July 22, 2005. On July 15, 2005, the parties reported that negotiations were apparently proceeding satisfactorily and requested an additional 30-day extension in the deadline for filings. On July 18, 2005, a new procedural schedule was issued with BellSouth's filings due on August 15, 2005 and the filings by XO and ITC^DeltaCom due on August 29, 2005. On August 12, 2005, the parties requested a further extension so that BellSouth's filings would be due on August 29, 2005 and the filings of XO and ITC^DeltaCom would be due on September 7, 2005. The parties' request was granted on August 15, 2005. On August 29, 2005, the parties requested another 14-day extension to allow the parties to continue negotiations. Pursuant to this request, BellSouth's filings were due on September 12, 2005 and the filings of XO and ITC^DeltaCom were due on September 26, 2005. The parties' request was granted on August 29, 2005. On September 12, 2005, the parties notified the Authority that BellSouth and XO had reached a settlement in principle resolving the issues in this docket and requested that the filings be held in abeyance for an additional week. That request was granted on September 13, 2005. On September 16, 2005, the parties noted they are working to finalize the settlement agreement and requested another one-week extension. That request was granted on September 19, 2005. On September 26, 2005, the parties requested yet another one-week extension.

The Hearing Officer finds that, due to the pending settlement of issues between BellSouth and XO, the request of the parties is well-taken and should be granted. However, due to the number of extensions previously granted, the Hearing Officer finds that a one-week extension may not be adequate and concludes that the granting of a two-week extension would be a more practical and efficient use of time and resources of the Authority. Therefore, a new procedural schedule is established as follows:

**October 10, 2005**

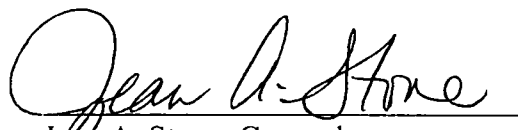
**Audit Proposal and Brief of BellSouth shall be filed with the Authority no later than 2:00 p.m.**

**October 24, 2005**

**Responses and Briefs of XO and ITC^DeltaCom shall be filed with the Authority no later than 2:00 p.m.**

**IT IS THEREFORE ORDERED THAT:**

The procedural schedule is amended as set forth herein.

  
Jean A. Stone, Counsel  
as Hearing Officer